



DANIEL HARRIGAN, MAYOR

## CITY OF AKRON, OHIO

*Margo Sommerville, President*

*Jeff Fusco, Vice-President*

*Rich Swirsky, President Pro-Tem*

### Members of Council:

Jeff Fusco, <b>At-Large</b>	Tara Samples, <b>Ward 5</b>
Linda Omobien, <b>At-Large</b>	Brad McKittrick, <b>Ward 6</b>
Ginger Baylor, <b>At-Large</b>	Donnie Kammer, <b>Ward 7</b>
Rich Swirsky, <b>Ward 1</b>	Shammas Malik, <b>Ward 8</b>
Phil Lombardo, <b>Ward 2</b>	Mike Freeman, <b>Ward 9</b>
Margo Sommerville, <b>Ward 3</b>	Sharon Connor, <b>Ward 10</b>
Russel Neal, <b>Ward 4</b>	<a href="http://www.akroncitycouncil.org">www.akroncitycouncil.org</a>

### Council Agenda For March 08, 2021

Regular Meeting held on March 1, 2021. All members were present except Swirsky. Minutes of the previous meeting approved. VOTE: 11-0 (Neal abstained) (Swirsky absent)

### CONSENT AGENDA

- 1 ORDINANCE approving the sale of a City-owned property located at 14th Street SW pursuant to the City's "A Lot for a Little" Program, in order to facilitate the productive re-use of the property and to reduce the cost to the City and the taxpayers in maintaining vacant lots; determining said property is not needed for public use; and declaring an emergency. PLANNING & ECONOMIC DEVELOPMENT
- 2 ORDINANCE authorizing the Director of Public Service through the office of the Purchasing Agent to purchase miscellaneous supplies, services, repair parts and labor for machinery and equipment used to repair the vehicle fleet of the City for a period of one (1) year; authorizing payment therefor; and declaring an emergency. PUBLIC SERVICE
- 3 ORDINANCE authorizing the Director of Public Service to enter into contracts using Community University Education Purchasing Association (CUE) bids, Sourcewell bids, Omnia Public Partners Public Sector bids, or State of Ohio bids, or after publicly advertising for bids, for the purchase and/or lease of various vehicles and equipment; and declaring an emergency. PUBLIC SERVICE
- 4 ORDINANCE authorizing the Mayor, or his designee, to apply for, and if granted, enter into an agreement or agreements with the Water Supply Revolving Loan Account (WSRLA) for certain Water Supply Capital Improvement projects; and declaring an emergency. PUBLIC UTILITIES

& GREEN

**RULES (M. Freeman, Chairman)**

FILED

- 1 RESOLUTION urging Governor DeWine and the Ohio Department of Public Health to include Funeral Directors and Embalmers in phase 1A, small group, of the distribution of the COVID-19 vaccine; and declaring an emergency. (Pulled by the Sponsor - March 1, 2021)

**BUDGET & FINANCE (M. Freeman, Chairman)**

FIRST READING & REFERRED:

- 1 RESOLUTION adopting an annual operating budget for the fiscal year 2021; and declaring an emergency. (3/1/21)
- 2 ORDINANCE to make the annual appropriation for the current expenses, other expenditures and the capital outlays of the City of Akron for the fiscal year ending December 31, 2021; and declaring an emergency. (3/1/21)

**PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chairman)**

UP FOR PUBLIC HEARING - March 8, 2021

- 1 ORDINANCE authorizing a Conditional Use to establish a two-family residence use at 119 South Maple Street. (2/22/21)
- 2 ORDINANCE authorizing a Conditional Use to establish a Type A day care at 1247 Florida Avenue; and declaring an emergency. (2/22/21)

UP FOR PUBLIC HEARING - March 29, 2021

- 3 ORDINANCE to construct a 190 foot monopole telecommunications tower at 596 Beacon Street; and declaring an emergency. (1/4/21)  
(Public Hearing rescheduled from 2/1/21)

TIME:

- 4 D-194 Petition of Chris Vanuch for a Conditional Use to establish a two-family residence use at 119 South Maple Street. (PC-2020-75-CU)  
(2/22/21)
- 5 D-195 Petition of Jasmine Hunt for a Conditional Use to establish a Type A child day care home at 1247 Florida Avenue. (PC-2021-01-CU)  
(2/22/21)

- 6 D-196 Application for Akron Historic Landmark status for the former Akron Beacon Journal Building at 44 E. Exchange St. (PC-2020-89-HD) (2/22/21)
- 7 ORDINANCE authorizing a Conditional Use to construct a horticulture and volunteer center at 714 N. Portage Path; and declaring an emergency. (Public Hearing was held - January 11, 2021)
- 8 D-159 Petition of Stan Hywet Hall and Gardens, Inc., for a Conditional Use to construct a horticulture and volunteer center at 714 North Portage Path. (PC-2020-78-CU) (11/23/20)
- 9 D-174 Petition of American Tower, LLC, for a Conditional Use to construct a 190 feet monopole wireless communications tower at 596 Beacon Street. (PC-2020-42-CU) (1/4/21)
- 10 ORDINANCE authorizing a Conditional Use to expand a restaurant (The Corral) and construct a new retail building at 1006 S. Arlington Street; and declaring an emergency. (Public Hearing was held - 1/4/21)
- 11 D-155 Reopening of PC-2018-68-CU for a Conditional Use to expand a restaurant (The Corral) and construct a new retail building at 1006 S. Arlington Street (PC-2020-72-CU) (11/23/20)
- 12 ORDINANCE amending/supplementing Title 15, Chapter 153, "Zoning Code", Section 153.140 "Definitions" and Section 153.310 "Business and Industry requirements" establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 13 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 14 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)
- 15 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 16 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)

- 17 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 18 ORDINANCE authorizing a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road; and declaring an emergency. (Public Hearing was held 6/25/18)
- 19 D-505 Petition of Joe Blough (Elegant Homes) for a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road. (PC-2018-15-CU) (6/4/18)
- 20 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

FILED:

- 21 ORDINANCE authorizing a Conditional Use to retain a fence within the front yard setback area at 656 Oxford Avenue; and declaring an emergency. Adverse Report - Vote: 12-0 (Swirsky absent)
- 22 D-179 Petition of Eddie Smith and Kiera Roberson for a Conditional Use to retain a solid fence within the required setback at 656 Oxford Avenue. (PC -2020-84-CU) (1/11/21)

**PUBLIC SERVICE (T. Samples, Chairwoman)**

NO ITEMS

**PUBLIC UTILITIES & GREEN (R. Swirsky, Chairman)**

NO ITEMS

**PUBLIC SAFETY (D. Kammer, Chairman)**

FIRST READING & REFERRED

- 1 ORDINANCE amending and/or supplementing Title 7, "Traffic Code," Chapter 70 "General Provisions," Article 4, "Impounding" Sections 70.51, 70.52, 70.53, and 70.55 of the Codified Ordinances of the City of Akron; and declaring an emergency. (3/1/21)
- 2 RESOLUTION urging the Ohio General Assembly to adopt legislation prohibiting the use of the death penalty in the State of Ohio; and declaring an emergency. (3/1/21)

## TIME

- 3 ORDINANCE amending/supplementing Title 7 “Traffic Code,” Chapter 70 “General Provisions,” Article 4 “Impounding,” Section 70.52 “Motor vehicle pounds” in order to add two towing companies to the City’s towing districts; and declaring an emergency. (2/22/21)

## **PARKS & RECREATION (R. Neal, Chairman)**

NO ITEMS

## **HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chairman)**

NO ITEMS

## **HEALTH & SOCIAL SERVICES (L. Omobien, Chairwoman)**

NO ITEMS

## **ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING**

- 1 ORD 49-20201 approving the historic designation of 44 E. Exchange Street (former Akron Beacon Journal) as a historic landmark; and declaring an emergency. VOTE 12-0 (Swirsky absent)
- 2 ORD 50-2021 authorizing the Director of the Department of Planning and Urban Development to enter into contracts for transportation planning services in order to carry out the intent and purpose of programs under the Federal Consolidated Planning Grant for the fiscal year 2021, and in order to further the Akron Metropolitan Area Transportation Study’s goals and objectives of maintaining a cooperative, continuous, and comprehensive framework for making transportation investment decisions in the Akron metropolitan area; and declaring an emergency. VOTE 12-0 (Swirsky absent)
- 3 ORD 51-2021 authorizing the Director of Public Service, after publicly advertising for bids, to enter into a contract or contracts for the replacement of lighting and signage on certain connector taxiways at the Akron Fulton International Airport; and declaring an emergency. VOTE 12-0 (Swirsky absent)
- 4 ORD 52-2021 amending and/or supplementing Title 7 “Traffic Code,” Chapter 70 “General Provisions,” Section 70.40 “Traffic Journal - Publication” of the Code of Ordinances of the City of Akron in order to conform the methods of publication with the Charter; and declaring an emergency. VOTE 12-0 (Swirsky absent)

- 5 RES 53-2021 approving and confirming the appointment of Rupa Gurung to the Metro Regional Transit Authority Board of Trustees; and declaring an emergency. VOTE 12-0 (Swirsky absent)
- 6 ORD 54-2021 authorizing the execution of a development agreement with Industrial Commercial Properties, LLC (“ICP”), or its designee; providing for the acquisition, sale and redevelopment of property located at 2000 Brittain Road; finding such Property is not needed for any public use, and related findings; and declaring an emergency. VOTE 12-0 (Swirsky absent)
- 7 RES 55-2021 supporting West Creek Conservancy’s Clean Ohio Greenspace Round 15 Grant application for Merriman Valley; and declaring an emergency. VOTE 11-0 (Swirsky absent) (Malik abstained)

## NEW LEGISLATION

### *Committees Scheduled for: March 8, 2021*

<b>1:00 P.M.</b>	<b>Planning &amp; Economic Development</b>	<b>2:30 P.M.</b>	<b>Health &amp; Social Services</b>
<b>1:45 P.M.</b>	<b>Parks &amp; Recreation</b>	<b>2:45 P.M.</b>	<b>Public Utilities &amp; Green</b>
<b>2:00 P.M.</b>	<b>Public Service</b>	<b>Subject to Call</b>	<b>Housing &amp; Neighborhood Assistance</b>
<b>2:15 P.M.</b>	<b>Public Safety</b>	<b>3:00 P.M.</b>	<b>Budget &amp; Finance</b>
<b>2:30 P.M.</b>	<b>Rules</b>		

### **BUDGET & FINANCE**

- 1 ORDINANCE authorizing the Director of Finance to enter into an agreement or agreements with AT&T Corp. for the provision of wireless services and equipment for a three year term; and declaring an emergency.

### **PLANNING & ECONOMIC DEVELOPMENT**

- 2 ORDINANCE amending and/or supplementing Title 11, Chapter 111 “Regulations Governing Specific Businesses,” by adding new Article 12(A) “Third-Party Food Delivery Services” and capping commissions chargeable by third-party food delivery service businesses during states of public health emergencies; and declaring an emergency.

### **PUBLIC SERVICE**

- 3 ORDINANCE authorizing the Director of Public Service to enter into an agreement or agreements and/or legislation with the Ohio Director of Transportation for certain improvements in the City of Akron identified by the State of Ohio’s State-wide Safety Project; and declaring an emergency.

### **PUBLIC SAFETY**

- 4 RESOLUTION urging the State of Ohio to place the issue of the death penalty on the ballot of the next general election so that the voters may decide whether the death penalty should be prohibited; and declaring an emergency.

### **PARKS & RECREATION**

- 5 ORDINANCE authorizing the Mayor, or his designee, to enter into a contract or contracts with TomTod Ideas, Inc. for a partnership with the City of Akron in the Creative Akron Summer Program for 2021; and declaring an emergency.